

2011-011572

Klamath County, Oregon



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BANK OF AMERICA, N.A.

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MODIFICATION TO DEED OF TRUST AND PARTIAL RECONVEYANCE

This Modification to Deed of Trust and Partial Reconveyance ("Modification"), is made this ____ day of September, 2011 among BANK OF AMERICA, N.A. ("Beneficiary"), RECONTRUST COMPANY, N.A. ("Trustee") and SCOTT A BEERY, and HEIDI M BEERY (the "Borrower(s)") (collectively referred to herein as the "parties").

RECITALS

This Modification is made with reference to the following facts:

A. The Borrower(s) made, executed, and delivered to BANK OF AMERICA, N.A., that certain DEED OF TRUST dated 05/17/2007, and recorded on 05/23/2007, as Document No./Instrument No. 2007-009351, in the Official Records in the Office of the County Recorder of KLAMATH County, State of OREGON ("Deed of Trust"), securing a Note dated 05/17/2007, in the principal amount of \$159,000.00 in favor of the Beneficiary and legally describing the real property as follows:

SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF.

B. The purpose of this Modification is for lot line adjustment.

TERMS OF MODIFICATION

1. For value received, the parties hereto do hereby modify said Deed of Trust to provide that the legal description therein shall be as follows ("Secured Property"):

SEE EXHIBIT 'B' ATTACHED HERETO AND MADE A PART HEREOF.

2. The Borrower(s) irrevocably grant(s) and convey(s) the Secured Property to Trustee under the Deed of Trust together with power of sale subject to each and all of the terms and conditions of the Deed of Trust, including this Modification thereto.

3. The Borrower(s), the Trustee and the Beneficiary do hereby reconvey, without warranty, to the person or persons legally entitled thereto, all the estate in and to any portion of the legal description first described hereinabove, which is not included within the description to the Secured Property.

4. The terms of the Deed of Trust, which are incorporated herein by reference, shall remain in full force and effect and be binding thereon to the extent they are not inconsistent with the provisions of this Modification. In the event of any inconsistency between the provisions of this Modification and the original Deed of Trust, the provisions of this Modification shall control. The Deed of Trust, herein modified, when signed by all parties hereto, shall constitute one Deed of Trust.

5. This Modification shall inure to and bind the heirs, devisees, successors and assigns of the parties hereto.

END OF PAGE

6. This Modification may be executed in counterparts, but shall be of no force and effect unless and until all parties to this Modification have duly executed this document.

IN WITNESS WHEREOF, the parties hereto have executed this Modification the day and year first above written.

RECONTRUST COMPANY, N.A.,
as Trustee



LEONETTA BROWN,
ASSISTANT SECRETARY

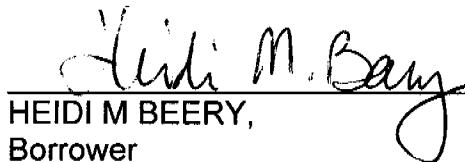
BANK OF AMERICA, N.A.,
as Beneficiary



PHILIP S CARY,
ASSISTANT SECRETARY



SCOTT A BEERY,
Borrower



HEIDI M BEERY,
Borrower

(ALL SIGNATURES MUST BE ACKNOWLEDGED)

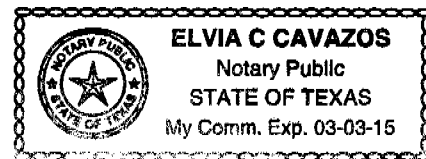
CERTIFICATE OF ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF DALLAS

On September 23, 2011, before me, ELVIA C CAVAZOS, personally appeared PHILIP S CARY, known to me (or proved to me on the oath of Assistant Secretary or through _____), to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.
WITNESS MY HAND AND OFFICIAL SEAL


ELVIA C CAVAZOS



TYPE OF DOCUMENT:

Modification to Deed of Trust and
Partial Reconveyance
September 23 2011

DOCUMENT DATE:

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF TEXAS

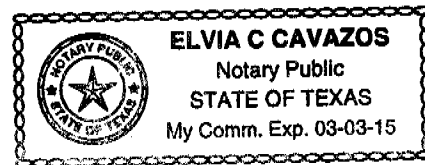
COUNTY OF DALLAS

On September 23, 2011, before me, ELVIA C CAVAZOS, personally appeared LEONETTA BROWN, known to me (or proved to me on the oath of Assistant Secretary or through _____), to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

WITNESS MY HAND AND OFFICIAL SEAL



ELVIA C CAVAZOS



TYPE OF DOCUMENT:

Modification to Deed of Trust and
Partial Reconveyance

DOCUMENT DATE:

September 23, 2011

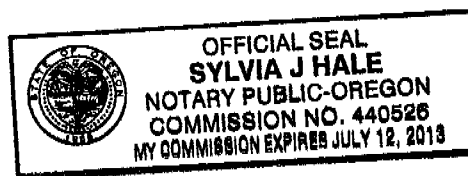
CERTIFICATE OF ACKNOWLEDGMENT

STATE OF Oregon

COUNTY OF Douglas

On October 4, 2011, before me, Sylvia Hale
personally appeared Scott Beery, known to me (or
proved to me on the oath of _____ or through
His Drivers License #618926), to be the person whose name is
subscribed to the foregoing instrument and acknowledged to me that he/she executed
the same for the purposes and consideration therein expressed.
WITNESS MY HAND AND OFFICIAL SEAL

Sylvia Hale



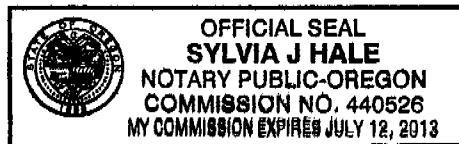
CERTIFICATE OF ACKNOWLEDGMENT

STATE OF Oregon

COUNTY OF Douglas

On October 4, 2011, before me, Sylvia Hale
personally appeared Heidi Beery, known to me (or
proved to me on the oath of _____ or through
Drivers License # 818819), to be the person whose name is
subscribed to the foregoing instrument and acknowledged to me that he/she executed
the same for the purposes and consideration therein expressed.
WITNESS MY HAND AND OFFICIAL SEAL

Sylvia Hale



"EXHIBIT A"

Lot 6 Tract No. 1327, OLD FORT ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXHIBIT "B"

Parcel 1:

Lot 6 Tract No. 1327, OLD FORT ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Excepting therefrom the following: Beginning at the most easterly corner common to Lots 6 and 7, OLD FORT ESTATES Tract No. 1327, situated in the SW1/4 SE1/4 of Section 28, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, which lies on the North R/W boundary of James Martin Court; thence along the Northeast boundary of Lot 6 North 42°22'20" West 35.34 feet to a point; thence South 36°53'43" East 4.50 feet to a 5/8" iron rod; thence South 39°07'40" East 31.00 feet to a 5/8" iron rod on the right-of-way boundary of James Martin Court; thence along said right-of-way boundary on a 50 foot radius curve to the left with a chord bearing North 45°40'50" West 2.19 feet to the point of beginning

Parcel 2

Property description of a portion of Lot 7 to be adjusted to Lot 6

Beginning at the most northerly corner common to Lots 6 and 7, OLD FORT ESTATES Tract No. 1327, situated in the SW1/4 SE1/4 of Section 28, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, which lies on the South R/W boundary of Old Fort Road; thence along the Southwest boundary of Lot 7 South 42°22'20" East 64.15 feet to a point; thence North 36°53'43" West 64.54 feet to a point on the South right-of-way boundary of Old Fort Road and for which a 5/8" iron reference rod bears South 36°53'43" East 0.47 feet; thence along said right-of-way boundary South 47°37'47" West 6.16 feet to the point of beginning.